

**PLEA MINUTE SHEET**  
**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF NEW MEXICO (AT ALBUQUERQUE)**

**CR 15-3679 JH****UNITED STATES vs. Herrera**

**Before The Honorable William P. Lynch , United States Magistrate Judge**

Hearing Date:	10/15/2015	Time In and Out:	10:53 am- 11:06 am		
Clerk:	C. Lopez	Digital Recording:	ABQ-Gila		
Defendant:	Leon Herrera	Defendant's Counsel:	Val Whitley		
AUSA:	Paige Messec	Interpreter:	N/A	<input type="checkbox"/>	Sworn
				<input type="checkbox"/>	Waived
<input checked="" type="checkbox"/>	Defendant Sworn		<input checked="" type="checkbox"/>	First Appearance	
<input checked="" type="checkbox"/>	Consent to proceed before a magistrate judge executed with full knowledge of meaning and effect.				
<input checked="" type="checkbox"/>	Deft acknowledges receipt of: <b>Information</b>				
<input checked="" type="checkbox"/>	If Deft proceeding by way of information, Deft acknowledges right to an indictment and waives that right.				
<input checked="" type="checkbox"/>	Terms and conditions of proposed plea agreement explained.		<input checked="" type="checkbox"/>	Defendant indicates understanding of its terms.	
<input checked="" type="checkbox"/>	Factual predicate to sustain the plea provided.				
<input checked="" type="checkbox"/>	Deft questioned re Deft's age, education, physical/mental condition, and whether under the influence of alcohol, drugs, or any medication. Deft advised of charge(s), penalties and possible consequences of the plea.				
<input checked="" type="checkbox"/>	Deft advised of constitutional rights, loss of rights, and maximum possible penalties (including imprisonment, fine, supervised release, probation, SPA, restitution, and any forfeitures).				
<input checked="" type="checkbox"/>	Deft questioned re time to consult with attorney and if satisfied with his or her representation.				
<input checked="" type="checkbox"/>	Court finds Deft fully understands charge(s) and the consequences of entering a guilty plea to that charge (or those charges).				
<input checked="" type="checkbox"/>	Deft pleads GUILTY to: <b>Information</b>				
<input checked="" type="checkbox"/>	Allocution by Deft on elements of charge(s).				
<input checked="" type="checkbox"/>	Court finds plea freely, voluntarily, and intelligently made; plea of guilty accepted.				
<input checked="" type="checkbox"/>	Deft adjudged guilty.				
<input checked="" type="checkbox"/>	Acceptance of plea agreement deferred until final disposition hearing by district judge.				
<input checked="" type="checkbox"/>	Sentencing Date: <b>to be notified</b>				
<input type="checkbox"/>	Defendant to Remain in Custody				
<input checked="" type="checkbox"/>	Present conditions of release continued		<input type="checkbox"/>	Conditions changed to:	
<input checked="" type="checkbox"/>	Penalty for failure to appear explained				
<input checked="" type="checkbox"/>	Presentence Report Ordered		<input type="checkbox"/>	Expedited (Type III)	
	Other Matters:				